

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOLITA CABRERA,

Plaintiff,

-against-

EXPERIAN,

Defendant.

1:21-CV-8313 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated November 5, 2021, the Court granted Plaintiff leave to file an amended complaint within 60 days. That order specified that failure to comply would result in dismissal of Plaintiff's claims under the Fair Credit Reporting Act ("FCRA") for failure to state a claim on which relief may be granted, and the Court's declining to consider, under its supplemental jurisdiction, Plaintiff's claims under state law. Plaintiff has not filed an amended complaint. Accordingly, the Court dismisses this action. The Court dismisses Plaintiff's claims under the FCRA for failure to state a claim on which relief may be granted, *see* 28 U.S.C. § 1915(e)(2)(B)(ii), and declines to consider, under its supplemental jurisdiction, Plaintiff's claims under state law, *see* 28 U.S.C. § 1367(c)(3).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

Plaintiff has consented to electronic service of court documents. (ECF 2, at 9.)

SO ORDERED.

Dated: February 7, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge